

REMARKS

In the Final Office Action dated September 24, 2007, the Office repeated the 35 U.S.C. § 112, first paragraph, rejection that was made in the Office Action of December 28, 2006, but withdrew the 35 U.S.C. § 103(a) rejection that was made in that Action.

In the 35 U.S.C. § 112 rejection the Office takes the position that the specification supports the application of an adhesion promoter to an electrical surface of a device produced in a CMOS process but not to an opto-electronic surface of a device produced in a CMOS process. The Office states that paragraph [0131] of the specification (paragraph [0162] of U.S. Patent Publication No. 20040115341) shows that applicant's invention contemplates applying the adhesion promoter to an electrical surface of a device produced in a CMOS process as an alternative to applying the adhesion promoter to an opto-electronic surface [of another device].

Applicant has amended claim 1 to define the method of the invention in terms consistent with the description in paragraph [0162] of U.S. Patent Publication No. 20040115341. Paragraph [0162] describes:

The above example is in relation to an adhesion promoter for forming a waveguide, however, the adhesion promoter

can be used in a CMOS process, such as for increasing adhesion of a dielectric, for increasing adhesion of a passivation layer, or any layer such as one of a material that has adhesion problems (such as due to high hydrophobicity from fluorine or other groups in the material).

Claim 1 now recites the method of the invention in the following terms consistent with the description in paragraph [0162]:

A method of adhering a coating of a polymer, metal, metalloid oxide or fluorinated derivatives thereof to a surface of a dielectric layer or passivation layer of a device produced in a CMOS process comprising applying to said surface, as an adhesion promoter, a hybrid organic-inorganic material which is partially or fully fluorinated.

Claim 1, therefore, clearly complies with the description requirement of 35 U.S.C. § 112, first paragraph.

Claims 1 and 2 as amended are also patentable under 35 U.S.C. § 102 and 35 U.S.C. § 103(a) over the prior art of record in this application. None of the prior art discloses or suggests adhering a coating of a polymer, metal, metalloid oxide or fluorinated

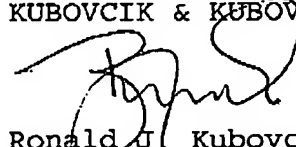
derivatives thereof to a surface of a dielectric layer or passivation layer of a device produced in a CMOS process by applying a hybrid organic-inorganic material which is partially or fully fluorinated to the surface as an adhesion promoter.

The foregoing is believed to be a complete and proper response to the Office Action dated September 24, 2007.

A notice of allowability of the claims of the present application is believed to be in order and is respectfully solicited.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such and any additional fees that may be required may be charged to Deposit Account No. 111833.

Respectfully submitted,
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